

REMARKS

Claims 1-21 are pending in the application. Claims 1 and 14-16 are currently amended.

No new matter has been introduced by virtue of the amendments made herein. Accordingly, applicants respectfully request their entry. In view of the amendments made herein and the remarks below, applicants respectfully request reconsideration and withdrawal of the rejection set forth in the November 22, 2005 Office Action.

Rejection under 35 USC § 112, First Paragraph

The Examiner rejected claims 14-16 under 35 USC § 112, first paragraph for describing in the claims compounds of the current invention as having the property of being a ligand to the hormone itself, instead properly describing it as a CFR receptor antagonist.

Without prejudice, applicants have amended claims 14-16 to recite "CFR receptor" in the rejected claims to remove any ambiguity that may have been caused. Accordingly, applicants respectfully submit that claims 14-16 are allowable under 35 USC § 112, first paragraph and request withdrawal of the rejection.

The Examiner rejected claims 1-4 under 35 USC § 112, first paragraph for lack of enablement for prodrugs of formula I compounds.

Without prejudice and solely in the interests of facilitating prosecution, applicants have amended claims 1-4 and deleted any recitation of the term "prodrugs." Accordingly, applicants respectfully submit that claims 1-4 are allowable under 35 USC § 112, first paragraph and request withdrawal of the rejection.

Rejection under 35 USC § 112, Second Paragraph

The Examiner rejected claims 1-4 and 14-16 under 35 USC § 112, second paragraph for indefiniteness because of the recitation of "prodrugs" of formula I compounds. In view of the amendment explained above, which removed any recitation of "prodrugs" from the claims, applicants respectfully submit that claims 1-4 and 14-16 are allowable under 35 USC § 112, second paragraph and request withdrawal of the rejection.

The Examiner further rejected claim 1 for indefiniteness because of an improper Marchush definition of "modified monocyclic group" .

In response, applicants have amended claim 1 to recite the definition of "modified monocyclic group" as a proper Markush definition.

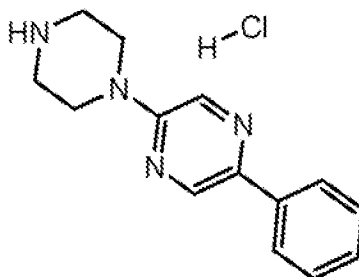
The Examiner further rejected claims 14-16 for indefiniteness because the conditions of the CFR binding assay by which the binding coefficient specified in those claims were determined were allegedly not provided in the claim.

In response, applicants have amended claims 14-16 to include recitation of the use of IMR-31 human neuroblastoma cells, which naturally express CFR receptors (ATCC; Hogg et al., 1996) in the binding assays used to determine IC50 values. Support for this amendment comes from page 9, line 15-17 of the specification.

Applicants respectfully submit that amended claims 14-16 provides sufficient description of the assay conditions to render them definite within the context of 35 USC § 112, second paragraph. Accordingly, applicants respectfully request withdrawal of the rejection.

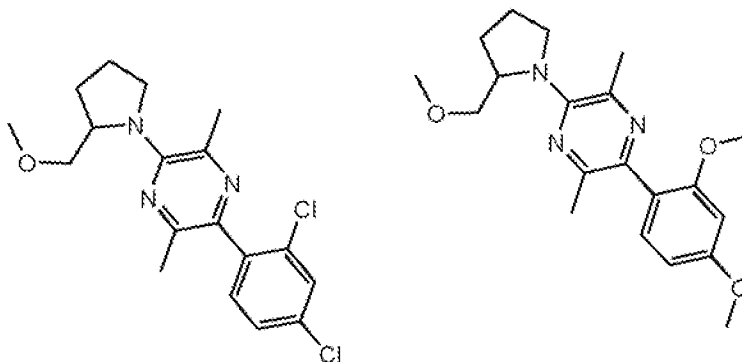
Rejection under 35 USC § 102

The Examiner rejected claims 1 and 2 under 35 USC § 102(b) as being anticipated by U.S. Patent No. 4,081,542 which discloses the compound 5-phenyl-2-(1-piperazinyl)pyrazine hydrochloride:



Without prejudice, applicants have amended claim 1 to remove "hydrogen" from the definition of R¹. Accordingly, the compound cited by the Examiner above does not fall within the scope of amended claim 1. Therefore Applicants respectfully request withdrawal of the rejection under 102(b).

The Examiner also rejected claims 1-3 under 35 USC § 102(e) as being anticipated by Yoon et al. which disclosed the compounds 2-(2,4-dichlorophenyl)-5-[2-(methoxymethyl)pyrrolidin-1-yl]-3,6-dimethylpyrazine and 2-(2,4-dimethoxyphenyl)-5-[2-(methoxymethyl)pyrrolidin-1-yl]-3,6-dimethylpyrazine:



Applicants respectfully point out that these compounds do not fall within the definition of the current claims. Specifically, "methyl" is not part of the definition for R¹ and R², even though the Examiner used this assumption to make the rejection (see page 11, second to last sentence of 11/22/05 Action).

Accordingly, applicants respectfully request that the rejection under 35 USC § 102 (e) be withdrawn.

Rejection under 35 USC § 103

The Examiner rejected claim 5 under 35 USC § 103(a) as being obvious over Yoon.

Applicants respectfully submit that because the rejection under 35 USC § 102(e) has been addressed above, that the rejection under 35 USC § 103(a) is now moot. Accordingly, applicants respectfully request withdrawal of the rejection under 35 USC § 103(a)

In view of the amendments set forth herein and remarks above, applicants respectfully submit that the pending claims are fully allowable, and solicit the issuance of a notice to such effect. If a telephone interview is deemed to be helpful to expedite the prosecution of the subject application, the Examiner is invited to contact applicants' undersigned attorney at the telephone number provided.

The Commissioner is hereby authorized to charge any fees required under 37 C.F.R. §§1.16 and 1.17 or to credit any overpayment to Deposit Account No. 16-1445.

Respectfully submitted,

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